

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**U.S. COMMODITY FUTURES TRADING
COMMISSION,**

Plaintiff,

CASE NO. 3:09-CV-106 (GCM)

v.

**BARKI, LLC, a North Carolina limited
liability company;
BRUCE C. KRAMER, an individual,**

Defendants, and

**RHONDA A. KRAMER, an individual, and
FOREST GLEN FARM, LLC, a North
Carolina limited liability company,**

Relief Defendants.

**ORDER GRANTING RECEIVER’S MOTION TO MAKE INTERIM DISTRUBTION
AND TO ESTABLISH DISTRIBUTION AMOUNTS**

This matter came before the Court upon *Receiver’s Motion to Make Interim Distribution and to Establish Distribution Amounts* (the “Motion”) filed by Joseph W. Grier, III, the Court-appointed receiver (“Receiver”) in this action, through counsel, on November 18, 2009. (D.E. 136). The Court, having reviewed the Motion and pleadings filed in response thereto, finds as follows:

1. The Court finds that it has jurisdiction over this matter.
2. The relief requested in the Motion did not draw any response or objection.
3. Upon review of the Motion the Court finds and concludes that the Motion should be granted.

IT IS, THEREFORE, ORDERED that:

- 1) The Motion is GRANTED;
- 2) The Report of Claims is approved allowing the amounts therein to be established as the Total Investments Claimed and Total Withdrawals Claimed for each Investor reflected therein;
- 3) A claim is allowed for Investor account 7.05 as reflected in the Exhibit A attached to the Motion;
- 4) A claim is allowed for Investor account 25.06 upon that Investor providing the Receiver with a Claim Verification Form and upon that claim being reconciled with Barki bank records;
- 5) The total interim distribution amount of \$1,650,000 is approved; and
- 6) The Receiver is authorized to make an interim distribution to Investors with approved claims as set forth on Exhibit A attached to the Motion.

Signed: December 14, 2009

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

